



THE CITY OF NEW YORK
LAW DEPARTMENT

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January 21, 2020

Via ECF

Honorable John G. Koeltl
United States District Court
Southern District of New York
500 Pearl Street
New York, New York 10007

Re: Biehner v. City of N.Y. et al.
Civil Action No.: 19-CV-09646 (JGK)
Law Dept. No.: 2019-084168-LE

Dear Judge Koeltl:

I am the Assistant Corporation Counsel in the Office of James E. Johnson, Corporation Counsel of the City of New York, assigned to represent Defendants City of New York and the Board of Education of the City School District of the City of New York, operating as the New York City Department of Education (“DOE”), collectively “City Defendants” in the above-referenced matter. I write to request that the Initial Conference scheduled for Thursday, January 23, 2020 at 4:30 P.M. be adjourned to a time convenient for the Court in late February or early March.

This request is made because Plaintiff filed two affidavits of service on Friday, January 17, 2020, purporting to have served the Complaint on Defendants Omotayo Cineus and Steve Traversiere. This Office is in the process of determining whether Defendants Cineus and Traversiere were properly served and whether this Office will represent these Defendants. This Office will be unable to make such representation decisions by this Thursday, January 23, 2020. Additionally, City Defendants’ time to respond to the Complaint has been extended until February 13, 2020. *See* ECF No. 11. City Defendants would prefer that this conference be held after they have responded to the Complaint.

This is the first time that a request for an adjournment of a conference has been made in this matter. I have spoken with Plaintiff’s counsel, who consents to this adjournment.

I thank the Court for its consideration of this request.

Respectfully submitted,
/s/
Alana R. Mildner
Assistant Corporation Counsel

CC: By ECF

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